

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**ARNOLD B. CURTIS**

**CIVIL ACTION NO. 3:10-cv-0976**

**VERSUS**

**SECTION P**

**JERRY W. CHILDRESS**

**JUDGE ROBERT G. JAMES**

**MAGISTRATE JUDGE KAREN L. HAYES**

**MEMORANDUM ORDER**

*Pro se* Plaintiff Arnold B. Curtis (“Curtis”), proceeding *in forma pauperis*, filed the instant civil rights complaint pursuant to 42 U.S.C. §1983 on June 3, 2010. On June 16, 2010, Curtis was granted leave to proceed *in forma pauperis*. However, a copy of the order granting Curtis leave to proceed *in forma pauperis* was returned with the notation on the envelope, “RTS (return to sender) Not Here, Unable to Forward.” [Doc. No. 4]. A second order was also returned with the notation “Refused Not Here @ West Carroll Det. Center.” [Doc. No. 6, pp. 1-2]. Accordingly, on September 20, 2010, Magistrate Judge Karen L. Hayes issued a Report and Recommendation [Doc. No. 6], recommending to the Court that Curtis’s Complaint be dismissed in accordance with Federal Rule of Civil Procedure 41(b) and Local Rule 41.3.

However, on November 16, 2010, the Clerk of Court received an inquiry from Curtis about the status of his case. [Doc. No. 8]. Curtis stated in his letter that he had been relocated twice by the Louisiana Department of Corrections and had not received any correspondence about his case. He asked that the Clerk of Court provide him with the status of his case at his new address, so he could “continue [his] pursuit.” [Doc. No. 8]. The Clerk of Court then forwarded a docket sheet to Curtis and updated his address.

On November 22, 2010, the Clerk of Court received a second letter from Curtis in which he requested that the Clerk of Court forward the Magistrate Judge's Report and Recommendation to him. He also moved the Court to grant him an extension of time to file objections to the Report and Recommendation.

Given Curtis's desire to pursue his lawsuit and the fact that he has been relocated twice in a relatively short time period, the Court DECLINES TO ADOPT the Report and Recommendation. Instead,

IT IS ORDERED that this matter be REFERRED to the Magistrate Judge for further proceedings.

IT IS FURTHER ORDERED that Curtis's motion for extension of time to file objections to the Report and Recommendation is DENIED AS MOOT.

MONROE, LOUISIANA, this 23rd day of November, 2010.

  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE